

PRINTING CODE. Deletions appear in <this style type>. Insertions appear in [this style type]. Typeface changes are shown in < this > < style > < type > or in [this] [style] [type].

SENATE BILL No. 78

Proposed Changes to January 14, 2026 printing by AM007812

DIGEST OF PROPOSED AMENDMENT

Wireless communication device storage. Amends requirements and restrictions regarding school wireless communication device policies.

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-26-5-40.7, AS ADDED BY P.L.24-2024,
- 2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2026]: Sec. 40.7. (a) As used in this section, "~~instructional~~
- 4 ~~time~~" ~~has the meaning set forth in IC 20-30-2-1.~~ "**school day**" **means**
- 5 **the entirety of the time a student is present on school property for**
- 6 **a student instructional day (as defined in IC 20-30-2-2).**
- 7 (b) As used in this section, "wireless communication device"
- 8 means any portable wireless device that has the capability to provide
- 9 voice, messaging, or other data communication between two (2) or
- 10 more parties, including a:
- 11 (1) cellular telephone;
- 12 (2) tablet computer;
- 13 (3) laptop computer; ~~or~~
- 14 (4) gaming device; **or**
- 15 **(5) smartwatch that is connected to a cellular telephone, a**
- 16 **cell tower, or the Internet.**
- 17 (c) **Except as provided in subsection (d),** each school corporation
- 18 and charter school shall adopt and implement a wireless
- 19 communication device policy that:
- 20 (1) except as provided in ~~subdivisions (2) and (3);~~ **subdivision**

SB 78—LS 6411/DI 152



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

- 1 (2), and subsection (d); prohibits a student from using a wireless
- 2 communication device during ~~instructional time; the school~~
- 3 **day;**
- 4 (2) authorizes a teacher to allow a student to use a wireless
- 5 communication device for educational purposes during
- 6 instructional time; and
- 7 (3) permits a student to use a wireless communication device in
- 8 the event of an emergency or to manage the student's health care.
- 9 (2) requires teacher directed use of a wireless communication
- 10 device for educational purposes during the school day to
- 11 occur only on school supplied wireless communication
- 12 devices; and
- 13 (3) mandates one (1) of the following policies:
- 14 (A) A no device policy under which students are not
- 15 permitted to bring wireless communication devices to
- 16 school.
- 17 □ □(B) A ~~secure~~ storage policy under which wireless
- 18 communication devices may be brought to school, but
- 19 must be stored away [, powered off,] and inaccessible to
- 20 a student throughout the school day.
- 21 (d) The policy adopted and implemented under subsection (c) may
- 22 not prohibit a student from using a wireless communication device
- 23 during ~~instructional time the school day~~ if the use of the wireless
- 24 communication device is: ~~included in the student's:~~
- 25 (1) **included in the student's** individualized education
- 26 program; ~~for~~
- 27 (2) **included in the student's** plan developed under Section 504
- 28 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794;
- 29 (3) **necessary for the management of a documented medical**
- 30 **condition pursuant to an order provided by a licensed health**
- 31 **care provider;**
- 32 (4) **authorized by the superintendent, or the superintendent's**
- 33 **designee** ~~during an emergency~~; or ~~<~~
- 34 > (5) **necessary for language translation to ensure access for**
- 35 **multi-lingual learners, prioritizing school-managed wireless**
- 36 **communication devices or applications where available.**
- 37 (e) Each school corporation and charter school shall publish on its
- 38 website the wireless communication device policy established under
- 39 subsection (c).
- 40 (f) **The department shall publish model policy language and**
- 41 **implementation guidance consistent with this section.**
- 42 (g) **A school corporation, a school maintained by a school**

M
a
r
k
u
p

SB 78—LS 6411/DI 152



1 corporation, a charter school, and personnel of a school
 2 corporation, a school maintained by a school corporation, or a
 3 charter school, are immune from civil liability for any actions
 4 taken in good faith to comply with this section. The civil immunity
 5 under this subsection does not apply to an act or omission that
 6 constitutes gross negligence or willful, wanton, or intentional
 7 misconduct.

8 SECTION 2. IC 34-30-2.1-271.5 IS ADDED TO THE INDIANA
 9 CODE AS A NEW SECTION TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2026]: **Sec. 271.5. IC 20-26-5-40.7**
 11 **(Concerning school corporations, schools maintained by school**
 12 **corporations, charter schools, school personnel, and compliance**
 13 **with a school's wireless communication device policy).**
 14]

M
a
r
k
u
p

SB 78—LS 6411/DI 152



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY